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Application Serial Number: 10/774,544

Filed: February 9, 2004 Inventor: Holmes et al. Group Art Unit: 3679

Examiner:

Attorney Docket Number:

Via Express Mail No. EV387961909US

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The enclosed Information Disclosure Statement is submitted:

X under 37 CFR 1.97(b), being before the mailing date of the first office action on the merits

under 37 CFR 1.97(c) together with either a:

Certification under 37 CFR 1.97(e), or
a \$240.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with a:
Certification under 37 CFR 1.97(e), and
a petition under 37 CFR 1.97(d)(2)(ii), and
a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Statement for which there may or may not be a duty to disclose in accordance with 37 CFR 1.56.

The filing of the IDS is not representation that the undersigned possesses any personal knowledge of the contents of each prior art reference listed, or that the documents are citable as prior art. If the Applicant has indicated specific locations of possible interest in

the right-most column, such indication is for the convenience of the examiner and is NOT to be seen as a representation that these are the only or most relevant areas, or as an admission of relevance. References with no locations designated may be more relevant or less relevant than those with such locations identified.

Applicant by submitting the above references taken alone or in combination neither represents nor admits that such references anticipate or render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested. Applicant accordingly reserves the right to challenge any reference to the submitted and identified documents as prior art.

It is requested that the information disclosed herein be made of record in this application.

Nathan W. Johnson Reg. No. 44,1/13

OF COUNSEL

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I hereby certify that this letter (3 pages) and an Information Disclosure Statement (1 page) are enclosed and are being deposited with the United States Postal Service as Express Mail No. EV387961909US Post Office to Addressee, in an envelope addressed to:

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July 8, 2004

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Nathan W. Johnson

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known		
Application Number	10/774,544	
Filing Date	02/09/2004	
First Named Inventor	Holmes et al.	·
Art Unit	3679	
Examiner Name		
Attorney Docket Number		

				DOCUMENTS	Pages, Columns, Lines, Where
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		US- 1,818,493	08/11/1931	McWane	
	+	^{US-} 2,201,372	05/21/1940	Miller	
	1	US- 2,491,004	12/13/1949	J.B. Graham	
	†	^{US-} 4,647,083	03/03/1987	Hashimoto	
	1	^{US-} 4,664,426	05/12/1987	Ueki	
	 	^{US-} 5,058,907	10/22/1991	Percebois	
	1	^{US-} 5,340,169	08/23/1994	Hoffman	
		^{US-} 5,398,930	03/21/1995	Hunter	
		^{US-} 5,603,530	02/18/1997	Guest	
		^{US-} 5,992,905	11/30/1999	Kennedy	
	T	^{US-} 6,502,865	01/07/2003	Steele	
		US-			

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Cite No. ¹		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
	Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	-			
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	10.1	Cite Foreign Patent Document	Cite Foreign Patent Document Publication Date MM-DD-YYYY	Cite Foreign Patent Document Publication Name of Patentee or Applicant of Cited Document MM-DD-YYYY	Cite Foreign Patent Document Publication Date Applicant of Cited Document MM-DD-YYYY Mere Relevant Passages MM-DD-YYYYY OR Relevant Figures Appear

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Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the This collection of information is required by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, uspect on the uspect of the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

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